

HOUSE BILL No. 1112

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-10-6-2.3; IC 36-5-1.1-10.7.

Synopsis: Municipal elections in a consolidated city. Provides that the terms of office of the individuals elected as mayor and members of the city-county council of a consolidated city at the 2011 municipal election expire January 1, 2015. Provides for the election of the mayor and the members of the city-county council of a consolidated city to be at the general election in 2014 and every four years thereafter. Requires a public question to be placed on the ballot in each included town located in a county having a consolidated city asking the voters of the town whether the town should be dissolved. Provides for dissolution of an included town if the voters of the town vote in favor of the dissolution.

Effective: July 1, 2010.

Barnes

January 5, 2010, read first time and referred to Committee on Elections and Apportionment.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1112

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-10-6-2.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2010]: **Sec. 2.3. (a) This section applies only to the following:**

4 (1) **The mayor of a consolidated city elected under**
5 **IC 36-3-3-2.**

6 (2) **A member of a city-county council elected under**
7 **IC 36-3-4-2.**

8 (b) **Notwithstanding any other law, the term of the mayor**
9 **elected at the 2011 municipal election expires at noon January 1,**
10 **2015. The successor of the mayor elected at the 2011 municipal**
11 **election shall:**

12 (1) **be elected at the 2014 general election; and**

13 (2) **take office at noon January 1, 2015.**

14 (c) **Notwithstanding any other law, the term of a member of the**
15 **city-county council elected at the 2011 municipal election expires**
16 **at noon January 1, 2015. The successor of a member of the**
17 **city-county council elected at the 2011 municipal election shall:**



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(1) be elected at the 2014 general election; and

(2) take office at noon January 1, 2015.

(d) The successors of the individuals elected at the 2014 general election under subsections (b) and (c) shall be elected at the 2018 general election and every four (4) years thereafter.

SECTION 2. IC 36-5-1.1-10.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 10.7. (a) This section applies only to included towns.

(b) The circuit court clerk of a county having a consolidated city shall place the following public question on the ballot at the 2015 municipal election in each included town in the county:

"Shall the town of _____ dissolve?".

The circuit court clerk shall insert in the blank the name of the town on the ballot in each precinct of each respective town.

(c) If the public question is approved by a majority of the voters voting on the question in an included town, the county election board shall file a copy of the certification prepared under IC 3-12-4-9 concerning the public question described by this section with the following:

(1) The circuit court clerk of the county.

(2) The office of the secretary of state.

(d) If a public question under subsection (c) is approved in an included town, dissolution of the town occurs on the earlier of the following:

(1) Sixty (60) days after certification under IC 3-12-4-9.

(2) When the certification is filed under subsection (c).

(e) If an included town is dissolved under this section, the following apply:

(1) The territory of the town as of the date the public question is certified under subsection (c) becomes a part of the consolidated city.

(2) The books and records of the town become the property of the county executive.

(3) The property owned by the town after payment of debts and liabilities shall be disposed of by the county executive.

(4) The county executive shall deposit any proceeds remaining after payment of debts and liabilities into the county general fund.

(f) The dissolution of a town under this section does not affect the validity of a contract to which the town is a party.

(g) This section expires July 1, 2016.

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